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TRAGEDY, DIASPORA
AND IMPROVISATION:
FROM RACISM IN
OTHELLO TO JAZZISTIC
LANGUAGE IN THE
EXPRESSION OF RIGHTS
AND THE END OF
MUTISM

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Abstract: The present article uses, as a starting point, the inductive analysis of the Shakespearean tragedy - written around the year 1603 -, based on the dialogues of the characters in the work, which make it possible to understand the racism that exists in it. There is also an exhibition on the African diaspora, a phenomenon of forced migration, for understanding the exploitation of black people, whose slave trade gave them the most diverse forms of oppression, including torture, abuse and degrading treatment, as a true kind of objectification of being. In view of this context, it exposes, finally, the importance of the jazz musical style in the struggle of blacks in search of civil rights, as well as the possibility of, based on its characteristics, facing the shadow of mutism present in the legal world, of in order to rescue the human intensity and dimension. For that, research on websites, documentaries and bibliographical works is used, examining the correlation between Literature and Music with Law and its forms of expression.

Keywords: Shakespeare; Othello; diaspora; Jazz; mutism; right; Elizabethan; creoles; Maa Ngala; language; tragedy; Africa; dignity; rituals; ritual; Mali; black; jazzy; musical; music; spirituals; fight; Eric Hobsbawn; civil rights; Nina Simone; Billie Holiday; Strange Fruit; movement; chorus; Slave Codes.

INTRODUCTION

This article begins with an exposition about the reign of Queen Elizabeth I in England, between the years 1558 and 1603, which was historically known as the Elizabethan period and was marked by the creation of great literary works, including tragedies, the example of Othello. It also shows the English thought with regard to the North African Moors in this historical context, which includes the height of the Renaissance, to expose its direct influence

on Shakespeare's works, mainly with regard to the racial prejudice evidenced in the work linked to the object of analysis of this study.

In addition, the article demonstrates the contemporaneity of William Shakespeare's work, Othello, a consequence of the author's maturity and courage, by exposing, with such intensity and depth, the contradictions of human relations at the time, mainly for using irony as a strategy to the formation of their dialogues, leading them to a path that provided and enhanced the contrasts and similarities existing in the personality of its protagonists, making it possible to make their flaws and virtues more evident in the eyes of the spectator.

Another element to be discussed is the African diaspora, which took place on a large scale from the illegal trafficking of black African peoples, mainly in the North American continent. The movement was marked by the suffering of the black population, which was condemned to a degrading and inhuman condition, through the exploitation of enslaved labor, enabling the propagation of racial prejudice and all the reflections around this theme over the centuries and, still, in contemporary society.

However, in addition to the negative aspects caused by the diaspora, the article portrays the expansion of black culture throughout the world, highlighting its influence in the creation of the Jazz musical style in New Orleans. In addition, the importance of orality is emphasized from the "myth of the creation of man", in Mali, to its connection to the song of the enslaved black, as a kind of materialization of divine strength, which can also be seen further on. as an element that will allow the black population, through great jazz songs, to fight for their equal rights in the great "March on Washington".

Finally, the need to use the characteristics of the jazz language to be explored by the Law is highlighted, with regard to the construction of norms that allow a greater approximation of society, the innovation of new ways to solve conflicts, and the need the return of orality, which was superseded after the development of written language, enabling the end of legal mutism - to the extent that the intensity of the human voice allows for a better interpretation and sensitivity to issues inherent to Law.

THE CURSED BLACK IN ELISABETANA ENGLAND

In Latin, maures means "black", which allows us to understand the origin of the term Moors: people from the North African region who, with the Islamic expansion and contact with Arabs from the Middle East, adopted the Islamic religion. For eight centuries these peoples dominated the Iberian peninsula, from the invasion that began in the year 711, whose Muslim religion was the main reason for resistance to the advance of the Moors in Europe, which allowed Christians to recover most of the peninsula by around the year 1250 and gave rise to the end of Moorish rule in the year 1492.

This way, the Moors faced great prejudice in Christian Europe, given that Europeans, as Christians, were moved by the feeling of aversion to the Muslim religion, which became the basis of all thinking in Shakespeare's England during the Elizabethan period. At the time, Queen Elisabeth was extremely concerned about the growing arrival of the Moors during her reign, even ordering their deportation on the grounds that their pagan culture would corrupt English Christian society; it would put the current political organization itself at risk; and, it would generate real chaos to the English.

This Christian view provided judgment on the moral conduct of the Moors, classifying them as beings with lascivious habits and, therefore, carriers of venereal diseases, and expanded the existing prejudice as this image was propagated and, mainly, by associating that such conducts would be related to the black color of their skin, since they were opposed to the white color of the English - Christian citizens of "exemplary conduct". Many of these conceptions derive from popular tales of English travelers who returned from North Africa and described the habits, clothes and customs of the North African people, leaving no doubt that such descriptions influenced the various theatrical works of the Elizabethan period.

Thus, throughout the dialogues of the Shakespearean play, it is possible to identify that the use of words and expressions to describe the Moorish general, Othello, occurred under the influence of those same English "traveling and prejudiced eyes" that, due to such religious blindness, judged the stereotype and customs of the Moors, described them as immoral, that is, beings unworthy of belonging to English society. As an example, Shakespeare used pejorative adjectives, such as "beiçudo" and "lascivious Moor", in the speeches of Iago, a whiteskinned character, making him the villain of the tragedy to the extent that he combined his speeches full of prejudiced words and expressions with characteristics and attitudes of the character, whose character was defined in the opposite direction to the moral precepts of the human being.

THE BITTER VISION OF THE SOCIAL TRAGEDY IN OTHELLO

Othello is the representation of how personal interests, when superimposed on social values, reflect on the deviation from a moral conduct of the human being who, when moved by his selfishness, is capable of diminishing and belittling his fellow man, becoming indifferent to any matter that is not related to your own will. Thus, it becomes evident that this conflict, between the consciousness of the ego and the collective consciousness, is the central point of the crises of social and interpersonal relationships, which haunt society over the centuries and develop from the presumed act of ignoring the basic principle of human dignity.

When entering the world of the characters of the Shakespearean tragedy, built on the basis of relationships and social behavior, it is possible to clearly identify the existence of racial prejudice present in their dialogues, even more so in those related to the character Iago, whose personality, which defines the tragedy's villain, is outlined through deep psychological traits and ambitious desires. The emphasis of this prejudice occurs as soon as the first scene of Act I of the work, which highlights the purposeful use of metaphorical elements with which Shakespeare constructed the villain's lines when referring to Othello to Brabantio, Desdémoda's father, as follows:

Iago – Right now, at this moment, an old black goat is covering your white sheep.

Iago – [...] do you want your daughter to be covered by a Barber horse and your grandchildren to neigh after you?

Iago – I am a man, sir, who came to tell you that your daughter and the Moor are on the verge of making an animal with two backs. (Shakespeare, 1974, Act I.1)

The preceding dialogues reveal the construction of metaphorical expressions, "old black goat" and "white sheep", used to highlight the color contrast between the characters Othello and Desdêmoda, also relating them to animals that translate opposite meanings in the eyes of the society with regard to religiosity. Iago clearly

takes advantage of Othello's skin color to dehumanize him when he describes him as a goat, that is, an animal used in rituals of satanic origin, which facilitates an association between the Moor and the demonic image, which in turn becomes the justification of the absurdity that the existence of a loving relationship with a sheep - a Christian symbol of followers whose souls will be saved by Christ -, which he associated with the figure of Desdémoda, sounded to him.

The description and association of animals with Othello are intensified in Iago's speeches, precisely because they allow a correlation between the black man and the images of a "barbere horse" and an "animal with two backs". Both expressions are used to express the irrationality of the black-skinned Moor, reaffirming the character's dehumanization. Therefore, all the words used in Iago's speeches, in addition to demonstrating his doubtful character, directly interfere with Brabantio's thinking, which, by feeding on more prejudice, expresses it in the following words:

Brabantio – I appeal to all sentient beings: if it weren't for having been bound by magical chains, as a young woman so beautiful and tender, so happy, so averse to marriage that she avoided the presence of the rich and curly-haired young men of our State, how could he, exposing himself to the derision of all people, flee from his guardian, to shelter in the dark and sooty bosom of a thing as you are, more made to frighten than any delight? (Shakespeare, 1974, Act I.1)

This way, there is, therefore, a clear conception that Iago's insidious dialogue, a consequence of his selfishness and his envious personality, allowed a bitter vision of the prejudice translated in his speeches, whose metaphors used in his constructions translate the degradation of the figure of the black Moor, Othello, disqualifying and animalizing him. However, this bitterness

is intensified by seeing all the lucidity of Shakespeare who, in addition to being a literary work, constructed his dialogues in such a way as to reflect, as a mirror, the image of contemporary society: a true tragedy.

THE DIASPORA THAT CONDEMNS DIGNITY

The Old Testament of the biblical book, when portraying the dispersion of the Jewish peoples from Israel around the world, used the word "diaspora" in order to describe this movement, which is why the term has been applied to demonstrate, by analogy, the movement of African peoples within their own continent or outside it. This idea of displacement is the meaning of the word diaspora, not only meaning a voluntary movement, but also a forced one, as in the era of the entire slave trade, which gave rise to the largest migratory movement of African peoples to the other continents of the globe, including the fifteenth and nineteenth centuries.

Before that, in the Middle Ages, Africa held greater commercial power than Europe, due to its production of manual goods, concentrating a greater number of merchants and, consequently, the cities with greater wealth. However, with the overshoot of African trade, there has also been an increase in illegal trade through the interior of Africa. At the same time, international human trafficking expanded, creating wars and revolutions in African territories, so some intermediaries who illegally traded with Europeans sold people who were commercial enemies and even prisoners of war, allowing for a greater expansion of this Illegal human trade, which along with the supply of goods, increased the accumulation of wealth in Europe and weakened Africa's development cycle.

After commercial growth and the consequent European enrichment, com-

mercial relations with the African continent were broken, which allowed the kidnapping of many black Africans by Europeans, through their ships docked on the coasts. The kidnapped people were "selected" for their characteristics. This way, the vast majority were young, men and women, who were in healthy conditions to be better exploited with their labor force in the lands of Europe.

expanded European ambition intensified this illegal human traffic and as it developed, the vessels carried an everincreasing number of people, far beyond what was supported in their interior. Blacks were forcibly piled up and chained in the holds of ships, in subhuman conditions of survival, which allowed the development of many diseases, such as diphtheria and smallpox, in addition to the many deaths as a result of them, with their bodies thrown to the sea or by throwing themselves, as an act of desperation to escape the situations of extreme degradation to which they were subjected.

The ships docked on the European continent, but as a result of the growth of this traffic, the kidnapped blacks were also landed in the so-called promised lands: it is estimated that between the years 1501 and 1870, about more than 12 million people were trafficked from Africa for the Americas. However, even if they were on dry land, blacks were conditioned to the same inhumane treatments that they suffered inside the ships, as they were heavily exploited in plantations, having their physical conditions deteriorated and being forced to survive.

Furthermore, what is understood as exploitation of "slaves" is an incorrect way of correlating the word to the way in which blacks suffered, given that these human beings did not put themselves in these situations of their own accord, or even as if it were something natural. Everything happened to the contrary, as these people

were surrendered, kidnapped, humiliated and subjected to torture, which justifies the need, therefore, to replace the term with "enslaved", precisely because they were forced to remain conditioned to the constant unworthy situations of being, arising from the imposition of the entire colonial system that chained them to the degradation of themselves.

THE MATERIALIZATION OF THE MYSTICAL SONG OF PAIN

For African culture, the way a word can be emitted and its intensity is of great importance, as well as orality translates mystical aspects, since speech is a power of creation for African peoples: the "Word", an instrument of creation, represents a force coming from the "Supreme Being", creator of all things. In Africa, the human mind and speech represents the materialization of the spirit through mystical forces that are considered divine forces. In the "myth of the creation of man" from Mali, for example, Maa Ngala is considered a deity, the creator God, who managed to make the universe come out in a permanent and static way, gathering cosmic forces, and giving it movement. through speech, as the Malian writer Amadou Hampaté Bâ explains below:

"In ritual songs and incantations, speech is therefore the materialization of cadence. And if it is considered as having the power to act on spirits, it is because its harmony creates movements, movements that generate forces, forces that act on spirits that are in turn the powers of action."

Throughout the diaspora movement, the great European colonizers subjected blacks to exhausting and sub-human work on large cotton plantations, in the first colony of North America, in Point Comfort - Virginia. Thus, as the illegal trade provided more and more new "human goods", the slave-owning

foundations of North American society were consolidated. This way, the blacks who disembarked there were bought to work for a determined period of time and employed in a system of employment of "debt servitude", that is, they did not receive any type of salary, and if there was a debt they worked to pay them for a period of time. determined to become free again.

The system described above was not profitable for the owners of large lands, who quickly became owners of all the black people who worked on their plantations and, consequently, gave rise to the slave system: exploitation did not only happen on land, but also about the black man. All enslaved people were exploited beyond the limits of any human being, as they needed to produce more and more, on the contrary they were punished with whipping, torture and abuse. To relieve such pain, black people worked chanting the divine forces in their voices, during their work on the plantations, as a jubilant song, to express the gift of being alive, having a voice and being able to sing.

After the implementation of the Slaves Codes, sanctioned codes to deal with enslaved people in the Thirteen Colonies created prior to the Independence of the United States (1776), blacks were subjected to various restrictions, including movement restrictions, which determined the need for a given pass by their owner, to leave their plantations and move to other territories, in addition to the prohibition that they were taught to read and, still, marriage restrictions and conditions of punishment and death. All these restrictions were present with greater force in the southern states and to prevent the escape of the "prisoners", the blacks so called when captured by the ships that illegally trafficked them -, the lands were constantly patrolled during the nights, when the enslaved beat their drums and gathered

to sing their pain and beg for redemption, which was later forbidden.

On September 9, 1739, the so-called "Stono Insurrection" took place, a rebellion resulting from a march carried out by a group of enslaved people, who shouted for their freedom, in South Carolina, on the banks of the Stono River, with the loss of twenty and five black lives killed in the shootout with whites. And the following year, the government of South Carolina passed the Negro Act (Ato Negro), from which enslaved people could no longer plant their own food, nor gather in groups, explaining in its text that "it is forbidden to beat drums, blowing trumpets, or any instrument that makes noise." From then on, the only place where blacks could gather, with some freedom, was in churches, where they sang their voices in songs with lyrics inspired by the bible, marking the rhythm with their palms: the gospel musical style was born. (spirituals) and the tradition is maintained in the belief in the power conceived by the divine through the voice, whose materialization, in this context, is the liberation of the pain contained in the soul, of the spirit.

JAZZ IN THE FIGHT FOR RIGHTS AND THE END OF MUTISM

Spirituals was a style that emerged from the junction of the singing style sung in West Africa and the songs of religious hymns, exerting a direct influence on the jazz style. The origin of jazz occurred through the mixture of several other musical styles, absorbing the peculiarity of the following characteristics: from the blues, it inherited the screech or scream; from ragtime, it absorbed the happy and popular rhythm; and, from the spirituals, it got the feeling of clamor chant. It is possible to understand a little more about this origin in the excerpt from the book História Social do Jazz, by

Eric Hobsbawn: "The origin of jazz is much more sophisticated than the plantation, it is a mixture in which European musical forms are almost as important as the original. African tradition, but once its roots have been removed, is rural blues, whose most primitive version is the slave's song."

At the end of the Civil War, in the United States, there was the abolition of slavery and the creation of segregationist laws, called the Jim Crown Laws (character created by the minstrel Thomas D. Rice, whose stereotype was of the North American black, seen as a fool, cheerful and ill-mannered), which led to a greater degradation of the image of the black population, devaluing them. And it is in this cultural context that jazz develops, in 1917, in New Orleans, a place of movement of different ethnic and cultural groups, and because it is close to the port area, it explains the great cultural influence that it suffered, mainly of the musical culture of the Black Creoles (mestizos freed before the Civil War of 1863) and of classical European music.

Fast forward to 1955, in the eminently racist south of the United States, with the aim of completely abolishing the discrimination that existed in North American society, the "Black Civil Rights Movement" was born, which lasted until 1968. movement was a true outcry of the black people who, in addition to the leadership of groups formed by the Black Panthers and Black Power, fought for racial equality rights. The forerunner of this milestone in American history was the seamstress Rosa Parks who, after not giving up a place for a white man - a determination arising from segregationist laws -, became the "Mother of Civil Rights" for blacks.

In this context, several songs were composed to represent the protest of the black population, who watched all the time the barbarities that black people suffered, mainly in the southern states of the country. Many of

them were lynched in public and hung from trees for hanging, brutalities that occurred as a result of the action of supremacist groups, such as the Ku Klux Klan, which defended the line of separation between the "superior white race" and the subordinate black race. Lynchings were carried out by poor whites who acted in favor of the white elite, with the aim of preventing the social ascension of blacks in the South, atrocities that triggered a migration of more than 6 million African Americans to the North region of the country, where they concentrated black migrants, forming large ghettos.

Soon, Jazz gave voice to black people discriminated against in the United States, through songs written in response to each attack on African American lives that occurred largely in the smaller and poorer cities of the South. It must be noted that, among several other singers, singers Nina Simone and Billie Holiday stand out, who mobilized and inspired crowds, with their powerful voices and their intense and unique interpretations. In 1963, about 250,000 people performed the "March on Washington", led by the speeches of activists Martin Luther King, Malcom-X and Rosa Parks. This way, the profound lyrics of protest and the free style of jazz interpretation fed the feeling of fighting for the civil rights of the black people, whose horror is perfectly portrayed in the verses that follow, a poetic translation performed by the composer Carlos Rennó, of one of the songs most famous played by Billie Holiday, Strange Fruit:

"Southern trees bear strange fruit,
Blood on the leaves and blood on the roots,
Black bodies swaying in the southern breeze,
Strange fruits hanging from the poplars.
Pastoral scene of the heroic south,
The swollen eyes and the twisted mouth,
Scent of magnolias, sweet and fresh,

And suddenly the smell of burning meat.

Here is the fruit for the crows to pull,

For the rain to collect, for the wind to suck,

For the sun to rot, for the tree to drip,

Here is the strange and bitter harvest."

In addition to the expressive language of each performer in the songs that motivated the feeling of the population punished by prejudice during the period of the "Black Civil Rights Movement", Jazz has a structure in its composition in which it allows for greater grandeur, freedom and improvisation: there are four blocks of eight bars each, that is, thirty-two bars for the formation of what is called ¬Chorus, the first and last blocks being thematic and the intermediate ones being the improvisable ones, providing the use of several instruments of different timbres, that give intensity and power to the melodies, increase the musicians' creative power and touch the soul of their listeners.

In this sense, it is possible to make a correlation between jazz and law, since the latter is also a representation of cultural expression and is directly associated with oral and written languages: in the first societies, priests solemnly made decisions about the solution of any conflicts and enunciated the Rights through orality, which, later, with the development and improvement of language, was supplanted, when writing was adopted to establish the rules that govern civil societies.

As the main instrument for the enunciation of Rights ceased to be orality, but the written form of legal norms, there were changes in the characteristics of Law itself, as well as in the relationship between the parties involved and, consequently, in its production and application. The intensity in the enunciation of Law, characteristic of the existing power of intonation of the human voice, as well as that identified in the jazz musical language, is losing more and more its strength and

silencing the legal world that, in addition to the current mutism, is losing the ability to approximation of the subjects of society, that is, its recipients.

Thus, what is intended is not the abandonment of the language written by the Law - since there is a great enrichment in the elaboration of positive legal norms -, but to use the characteristics of the jazz language so that there is an evolution and enrichment of it, in order to solve the problems caused as a result of the existing mutism in the current legal world, through its imposing intensity and its capacity for improvisation.

This way, Law, by appropriating the intensity of the sounds of instruments used in the structure of jazz, could materialize it in the vocal cords of its enunciators. This is because the intensity in the intonation of the voice during the transmission of a message has always been necessary for human understanding as to the correct meaning, since the beginning of the origin of the tonality of words in the myth of Maa Ngala. And, thus, Law would no longer be what it has become, excessively formal, as it would be closer to society, facilitating access and understanding by individuals who are at regional, economic and educational margins.

Furthermore, the creative power of musicians during the intermediate intervals of the Chorus, made possible by the structure of the jazz style, would favor the innovation of legal norms capable of meeting the needs of society and, as new conflicts arise, seek new means to solve them. It would be possible, therefore, to use human intuition and sensitivity - as happens to jazz musicians and performers, who follow the rules of melodic, harmonic and rhythmic bases, but improvise and create with each interpretation -, following the rules of formal norms, but allowing the extension of the affections necessary to the human essence of their dependents.

CONCLUSION

From such expositions about the theme object of this article, it is possible to conclude that the prejudice existing in the reports of European travelers, corresponding to the Elizabethan period, about the stereotype and customs of the black Moors who inhabited African regions and the Iberian Peninsula, during the creation of Shakespeare's work, Othello, continued to take root in modern and contemporary society. The Shakespearean work, under the direct influence of the English thought of that period, through the genius in the construction of the dialogues of the characters, shows that this prejudice is even more current, evident and tragic.

Furthermore, the diaspora movement, despite enriching the world with the extremely rich culture of black African peoples, allowed racism to spread throughout the Americas, enslaving them, exploiting them and making them submissive people to the most economically successful. All the degradation of the image and the resulting sub-human condition to which blacks have been subjected throughout history are a reflection of today's society that discriminates, marginalizes, judges, and kills the black population every day.

Like the deity Maa Ngala, who moved cosmic forces through speech - even though they have always been subjugated in the eyes of society, treated as stupid beings devoid of intelligence, tortured, abused, killed and objectified -, the black population submissive to the his oppressors, as if this movement of suppression of dignity were static, never failed to gather his strength and move his soul, even if in pain, materializing them in his song.

Thus, black culture directly influenced the construction of the style of jazz music, through spirituals. And, in turn, the greatest movement of expression of black power took place during the march of the struggle for Civil Rights, in which black people, driven by the intensity of jazz music, which portrayed all the suffering experienced and fed this will to fight for equal rights, they united and moved the forces coming from their song to elevate their existence and, finally, conquer their dignity, even if minimally, as far as is known, and by right.

Finally, it is important to conclude that all the intensity present from the construction of the structure to the jazz language is extremely important for us to understand that orality is essential to Law and to human beings. In addition, just as singing was able to remove the universe and submission of black people from staticity, the tonalities and creative and intense nuances originated by the creative power of the jazz musical style, provide the end of legal mutism, a consequence of the excessive formalization of Law, which abandons the essence of human affectivity, essential for understanding and approaching its recipients, especially those who are on the social margins and who, therefore, need the construction of their rights to occur through a more humanized look, so that they are supported by the basic principles of equality and human dignity.

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